



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 7, 2023

BY ECF

The Honorable Jennifer L. Rochon
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *United States v. The Personal Diary of General Nikolai Nikolaevich
Iudenitch Hensingfors, et. al.*, ~~22 Civ. 02636 (JLR)~~
23-cv-02636-JLR**

Dear Judge Rochon:

On or about March 29, 2023, the Government filed a Verified Civil Complaint for Forfeiture against the above-described defendants-*in-rem*, and an initial pre-trial conference has been scheduled for July 12, 2023 at 3 p.m. On April 5, 2023, the Court ordered the parties to submit, in advance of that pretrial conference, a joint letter setting forth certain information regarding this matter. (Dkt. 3). As of this date, however, and as discussed further below, no defendant has appeared.

In this case, the Government seeks civil forfeiture of certain artifacts (*i.e.*, the defendants-*in-rem*) that, as alleged in the Verified Civil Complaint, were stolen from a university located in New York, New York, and shipped to an auction house located in Paris, France for sale. The artifacts were recovered by law enforcement pursuant to a seizure warrant, and with assistance from the French government, in April 2018. The Court has original jurisdiction pursuant to 28 U.S.C. § 1345, because the United States is the plaintiff, and 28 U.S.C. § 1355(a), because the Government seeks forfeiture pursuant to a federal statute. Venue is appropriate in this district pursuant to 28 U.S.C. § 1355(b)(1)(A), because acts giving rise to the claim for forfeiture occurred in the Southern District of New York.

On April 3, 2023, the Government provided notice of the Verified Civil Complaint to all parties of whom the Government was aware that might have had a claim to the Defendants-*in-rem*. None of those parties have filed a claim or entered an appearance in this matter. In addition, pursuant to Rule G of the Supplemental Rules for Admiralty and Maritime Claims, the Government published notice of the forfeiture. Anyone who wishes to contest the action has until thirty days after the final publication date to file a claim, which not be until August 1, 2023.

There have been no settlement discussions, discovery, or use of alternative resolution mechanisms to date, and there are no outstanding motions.

Because the August 1, 2023 deadline to file a claim has not yet passed, the Government respectfully requests that the Court adjourn the initial pre-trial conference until after that date. Should no claims or answers be filed prior to that date, the Government intends to file a motion seeking a final judgment of forfeiture for the defendants-*in-rem* in this matter.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By:




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The request is GRANTED. The
conference is adjourned to
August 2, 2023 at 3:00PM.

Dated: July 7, 2023
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge